

26 OCT 2005



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In re Application of
SUDA, et al.

Application No.: 10/507,032

PCT No.: PCT/JP02/06472

Int. Filing Date: 27 June 2002

Priority Date: 08 March 2002

Atty. Docket No.: 04703-0201831-US0

For: CERIUM BASED COMPOSITE
OXIDE, SINTERED PRODUCT
THEREOF AND METHOD FOR
PREPARATION THEREOF

DECISION

This decision is in response to applicant's "Request for Corrected Filing Receipt and Notice of Acceptance" filed on 16 March 2005.

BACKGROUND

On 07 September 2004, applicant filed a Transmittal Letter (PTO-1390) requesting entry into the national stage in the United States of America under 35 U.S.C. 371. Filed with the Transmittal Letter were, *among others*, the requisite basic national fee; an English translation of the international application; and an application data sheet.

On 13 October 2004, applicant filed an executed declaration of inventors.

On 08 February 2005, the United States Designated/Elected Office (DO/EO/US) mailed a "Notification of Acceptance of Application under 35 U.S.C. 371 AND 37 CFR 1.495" (Form PCT/DO/EO/903) which set forth the date of receipt 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) requirements as 07 September 2004 and a 35 U.S.C. 371 completion date of 07 September 2004.

On 16 March 2005, applicant filed "Request for Corrected Filing Receipt and Notice of Acceptance."

DISCUSSION

Applicant requests a corrected filing date (or 371(c) date) from 07 September 2004 to 13 October 2004. The actual filing date of the present application is the international filing date, i.e., 27 June 2002. (See 35 U.S.C. 363) The date in the filing date portion on the filing receipt of a national stage application is the date upon which the requirements set

forth in 35 U.S.C. 371(c) for entry into the national stage were completed. (See MPEP §1895.01) A review of the application file reveals that the declaration was filed with the USPTO on 13 October 2004, the date which the requirements set forth in 35 U.S.C. 371(c) for entry into the national stage were completed. Therefore, the correction of the "FILING DATE" on the filing receipt to indicate a date of October 13, 2004 is proper since applicant completed the requirements set forth in 35 U.S.C. 371(c) on October 13, 2004. (See MPEP section 1893.03(b)).

CONCLUSION

Applicant's request under 37 CFR 1.181 for issuance of a corrected Notification of Acceptance and Official Filing Receipt is **GRANTED**.

The Notification of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.494 or 1.495 (Form PCT/DO/EO/903) mailed on 08 February 2005 is hereby **VACATED**.

The application has an international filing date of 27 June 2002 under 35 U.S.C. 363 and a date of 13 October 2004 under 35 U.S.C. 371(c).

This application is being returned to the United States Designated/Elected Office (DO/EO/US) for treatment in accordance with this decision, that is, for mailing of a NOTIFICATION OF ACCEPTANCE OF APPLICATION (Form PCT/DO/EO/903) which identifies a date of 13 October 2004 under 35 U.S.C. 371(c) and preparation and mailing of a corrected Filing Receipt in accordance with this decision, that is a filing receipt that identifies a filing date of 13 October 2004.

Thereafter, this application will be referred to its appropriate Art Unit.



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